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SENATE

{ REPORT
No. 1905

HENRYK KRAMARSKI

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 1490]

The Committee on the Judiciary, to which was referred the bill (H. R. 1490) for the relief of Henryk Kramarski, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Henryk Kramarski. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 21-year-old native and citizen of Poland who last arrived in the United States as a stowaway on December 3, 1947. His parents are believed to be dead and it appears that he has had some rather bitter experiences in the course of his young life.

A letter dated August 27, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

AUGUST 27, 1951.

HON. EMANUEL CELLER,

*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 1490) for the relief of Henryk Kramarski, an alien.

The bill would provide that Henryk Kramarski, who arrived in the United States on the steamship *Coral Sea* at Philadelphia, Pa., on December 3, 1947, shall be considered to have been lawfully admitted to the United States for perma-

nent residence as of such date, upon payment of the required visa fee and head tax. It would also direct that any outstanding bond be canceled, and that the Secretary of State shall instruct the quota-control officer to deduct one number from the quota for Poland.

The files of the Immigration and Naturalization Service of this Department disclose that Henryk Kramarski was born in Baranowicza, Poland, on November 16, 1930, and he is a citizen of that country. He has stated that when he was 8 years of age, his mother died, and when he was 10 years of age, the Germans invaded his homeland, separating him from his father and two sisters by sending him into slave labor in Germany. Later he heard that his father and sisters had been killed by the Germans. In May 1945 he escaped from the slave farm and attached himself to the United States Army at Coblenz, Germany, performing duties as orderly, errand boy and kitchen boy. Subsequently he was placed in the UNRRA camp at Nuremberg where he remained until October 1947, when he was urged to return to Poland. Upon return to his home town he tried to locate members of his family through the Red Cross, but was finally convinced they were dead. He did odd jobs for a while and then proceeded to Gdynia, where he did odd jobs but did not earn enough to sustain himself. At that port he became a stowaway on the steamship *Coral Sea* and arrived at the port of Philadelphia on December 3, 1947. After a hearing before a board of special inquiry he was excluded on December 5, 1947, and transferred to Ellis Island, where arrangements were made to return him to Poland.

The files further reflect that his exclusion was affirmed by the Immigration and Naturalization Service on December 22, 1947, and his appeal was dismissed by the Board of Immigration Appeals on March 12, 1948. On August 2, 1948, the Board granted a motion by his representative to reopen the case for the reception of additional and material evidence. After a rehearing the Immigration and Naturalization Service affirmed the excluding decision without prejudice to the alien's reapplication for admission when in possession of appropriate documents, and he was paroled into the United States to the United States committee for the care of European children for 6 months, pending an investigation abroad by the Department of State, conditioned on the filing of a \$500 delivery bond. On August 22, 1949, his parole into the United States was extended for 3 months on consent of surety.

The State Department investigation abroad was made with a view to ascertaining whether or not Henryk Kramarski had any relatives in Poland, who would be willing to accept him if he were to be returned to Poland. A report from the American Embassy in Warsaw showed that an aunt of his resided in Konieczpol, Poland, but she advised the State Department official that she had a large family, knew her nephew only slightly, and could not receive him into her home. He has no relatives in this country, but after being paroled on bond he was placed in the custody of Mr. and Mrs. John Okulicz, of Camden, N. J., who have stated that they will support him to the best of their ability. He has been attending the Woodrow Wilson Evening High School in Camden since October 1949 with the exception of the summer of 1950 and during January 1951, at which time he was ill. His instructors have found his progress satisfactory. Mr. and Mrs. Okulicz, with whom Henryk Kramarski resides, stated that his case was brought to their attention through Monsignor Strenski, who had been contacted by Mrs. Maslon of the International Institute in Philadelphia, Pa. They further stated that Mr. Kramarski helps them in their furniture store, that he is not on a salary basis, but he is provided with clothing, room, board, spending money, and an education.

The quota of Poland, to which Mr. Kramarski is chargeable, is oversubscribed, and a quota immigration visa is not readily obtainable. The illegal entry of aliens as stowaways, however, cannot be condoned if the immigration laws are to be effectively enforced. While it may not be practical to deport him at this time the facts in Mr. Kramarski's case do not justify enactment of special legislation in his behalf.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

The American Legion, Camden, N. J., wrote to the chairman of a subcommittee of the Committee on the Judiciary of the House of Representatives as follows:

THE AMERICAN LEGION,
POST OFFICE POST No. 264,
Camden, N. J., February 19, 1951.

Hon. FRANCIS E. WALTER,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN: We have been advised that you are a member of the committee having under consideration a bill, H. R. 1490, to grant an immigration visa to Henryk Kramarski, 1510 Mount Ephraim Avenue, Camden, N. J.

The members of this post, at their last regular meeting, considered very carefully the merits of this case and unanimously decided that as members of an organization of Veterans of World Wars I and II, whose sworn purpose is the preservation and promotion of the principles of justice, freedom, and democracy, we could not do less than to recommend to you prompt and favorable action on this bill.

We consider it most important that our beloved country continue to be a haven for the persecuted and oppressed and, while we realize the impossibility of receiving, at this time, all who may desire to migrate to these shores, still we feel that to deny the petition of Henryk Kramarski would not only subject him to very probable bitter consequences but would be doing ourselves as loyal and self-respecting American citizens a grave injustice.

Please do what you can for this petitioner and justify our faith in America.

Respectfully,

DAVID W. ENSIGN, *Adjutant.*

By direction of the post commander.

Congressman Charles A. Wolverton, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and testified as follows:

Mr. Chairman and members of the committee, my name is Charles A. Wolverton. I am a Member of Congress representing the First Congressional District of New Jersey. I appear in support of H. R. 1490, a bill for the relief of Henryk Kramarski, which I introduced January 12, 1952.

The bill provides that, for the purposes of the immigration and naturalization laws, Henryk Kramarski, Camden, N. J., who arrived in the United States on the steamship *Coral Sea* at Philadelphia, Pa., on December 3, 1947, shall be held and considered to have been lawfully admitted, as of such date, to the United States for permanent residence upon payment of visa fee and head tax. Any bond outstanding in his case shall be canceled. Upon such payment, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for Poland for the first year such quota is available.

There has never been any case that has come to my attention that is more deserving than this one of Henryk Kramarski. It has all the elements that stir one's soul to the very depths. This case has a tremendous appeal to everyone who believes in justice for a downtrodden human being, who looks with hope and expectancy to this committee that by its action can save him from a return to the horrible experiences that have been his in his homeland of Poland under the influence of the cruel overlords that have and do now rule in his country. There never has been, nor will there ever be, a case more meritorious presented to this honorable committee than that which involves the future welfare of this 19-year-old Polish boy. Nor, will there ever be an individual who will more sincerely and gratefully appreciate your favorable action, nor, be more certain of justifying by his future conduct the confidence you may place in him. I can truthfully say that no one who has ever come before your committee has had such generous and wholehearted support and good wishes from public officials, business, civic, religious, and fraternal organizations and leaders of an entire community, as has been accorded this young man. The large number who have come to Washington this morning prepared to testify in behalf of the character, integrity, and future usefulness of him gives some slight evidence of the great interest taken by the community and its leading citizens in behalf of this boy.

The pertinent facts in the case are as follows:

Henryk Kramarski was born November 16, 1930, in Batanowicze, Poland, where his father was employed as a forester. His mother died when he was 8 years of age. In 1942, at the age of 11, the German invaders separated Henryk from his father and two older sisters, and sent him into slave labor into Germany. Later a family informed the applicant that his father and two sisters were killed by the Germans. In May 1945 he escaped from the German farm and attached

himself to the United States Army at Coblenz, performing the duties of an orderly, errand boy, and kitchen boy. Subsequently, he was placed in the UNNRA camp at Nuremberg where he remained until October 1947, when he was urged to return to Poland and transportation was arranged for him. Upon return to Poland, the applicant tried repeatedly to locate his father and sisters through the Polish Red Cross at Szczecin (Stettin) but was finally convinced that they were dead. He then did odd jobs, as steady jobs were not available. He decided to come to a port city and get a job around the docks. In Gdynia, he worked around the dock for a week doing odd jobs, but this was not sufficient to sustain him. He decided to come to the United States where he hoped to get a job with the aid of some of his former GI friends. He hid aboard the steamship *Coral Sea* and arrived in Philadelphia on December 3, 1947. After a hearing on December 5, 1947, before the board of special inquiry in Philadelphia, he was transferred to Ellis Island.

The applicant pleads for admission into the United States for the purpose of remaining permanently in this country because he cannot return to his native village, as that is now Russian territory. He would be beaten and tortured for having run away from that country. He also fears that he will be sent to Siberia because he is Catholic and because he is not in sympathy with communism. He has spent 9 months in a division of Buchenwald concentration camp reserved for those who attempted to escape slave labor. He has endured strain beyond his physical strength, and his hands bear permanent scars from slave labor in Germany. He knows that Poles sent to Siberia do not return. He fears that return to Poland, at this time, would end in imprisonment, while his anticommunist views would result in severe tortures and certain death.

The applicant's apparent sincerity during the initial hearing on December 3, 1947, had evoked general interest of the examining board and he was encouraged to seek the representation of the International Institute (social agency), Philadelphia, Pa., in his behalf.

Although the applicant was found excludable under the immigration laws, the Board of Appeals on March 15, 1948, noted in their opinion, "We have, on rare occasions, permitted stowaways who are minors to enter on parole for future adjustment of their immigration status. However, this has been done only where there is an absolute showing that some responsible person or agency has accepted the obligations of parole, both financial and otherwise." Subsequently, Rt. Rev. Msgr. Arthur B. Strenski, St. Joseph's Church, 1010 Liberty Street, Camden, N. J., offered to act as parole sponsor. In addition, Mr. and Mrs. John Okulicz, 1510 Mount Ephraim Avenue, Camden, N. J. offered the applicant a home and care and submitted affidavits of support with documentary evidence substantiating economic assets and ability to provide a proper home for Henryk Kramarski. The prospective parents and sponsors not only have an excellent standing in the community as upright, respected, and patriotic citizens, but they have successfully reared their own daughter, 28 years, wife of World War II, United States Army major, and their son, 33 years, Lt. Comdr. John Okulicz, in the medical service of the United States Navy.

On November 22, 1948, Henryk Kramarski was paroled under bond of \$500 to Mr. and Mrs. John Okulicz, 1510 Mount Ephraim Avenue, Camden, N. J., where he now resides. The applicant has assumed a filial role to his foster parents and had made an excellent adjustment not only in his foster home, where he assists with furniture-store chores, but also in his community contacts. Under the wise guidance of his foster mother, he has met desirable young people of his own age. He attends the Wilson School, Seventh and Delancy Streets, Camden, N. J., for study of English where he has progressed considerably beyond other recent arrivals from foreign countries. He also takes guitar and accordion lessons to spend his free time pleasantly and profitably. He keeps in close contact with his parole sponsor, Right Reverend Monsignor Strenski and has evidenced a strong sense of moral responsibility and obedience. He accompanies his foster parents to mass on Sundays and accepts suggestions and corrections from his foster parents. As a result, their charitable interest has evolved into personal affection for the boy. Henryk Kramarski has become welded into this family group.

During his 11-month stay at Ellis Island, pending decision on this case the applicant has won the confidence, admiration, and affection of his coworkers and superiors. At the time of his parole, he had been entrusted with the keys to the food supplies which was a responsibility beyond his years. From his wages of \$1 per day at Ellis Island, he had purchased his own clothing and had a saving of \$80 at the time of his release. The Ellis Island authorities had strongly recommended his parole. The applicant's innate desire to conform to requirement

of those in authority and his efforts for self-support through honest toil have been noted by his Army contacts and have been confirmed by his superiors at Ellis Island where his behavior and adaptability were under observation from December 5, 1947, to November 22, 1948.

The applicant has no family or other ties in Poland. He is virtually a refugee of World War II, a displaced boy, whose only memory of human kindness experienced since his forced removal from his father's home and loving guidance and care at the tender age of 10, was with the United States Army to which he attached himself as civilian employee and had loyally served from 1944 to 1947. His impression of ideas and ideals of freedom and the American way of life have impelled him to take the risk of a stowaway to reach this haven for "the shipwrecked unfortunates"—as he terms himself. These same convictions make it impossible for the applicant to return to Poland, as they are anti-Communist and would expose him to certain persecutions. Furthermore, he faces prosecution in Poland for having left that country without permission. The applicant has mentally and spiritually adopted this country for which to him the United States Army stands as a symbol. He courageously determined to reach America where, with the help of his former GI friends, he hoped to start a new life after 7 years of danger and insecurity. The very thought of returning to the Communist-controlled Poland causes the applicant severe mental anguish and fearful anxiety resulting in deep despair.

The applicant, Henryk Kramarski, begs that you give his plea for immigration status an early and favorable consideration to enable him to adjust himself to legal entry into the United States.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1490) should be enacted.

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